MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2022 / 2023 (TERM ID 2215)

PIL0012 – INTRODUCTION TO LAW

(All Sections / Groups)

16 FEBRUARY 2023
2.30 p.m – 4.30 p.m
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This Question paper consists of **THREE (3)** pages including the cover page.
2. Answer **ALL** questions from Section A and **ONE** question only from Section B.
3. Please print all your answers in the Answer Booklet provided.

SECTION A: COMPULSORY [75 MARKS]

Instruction: Answer **ALL** questions.

QUESTION 1

Equity, unlike the common law, is not a complete body of rules which can exist on its own. It came into being to supplement the common law, to correct its defects and mitigate its harshness.

Define 'equity' and describe the origins of equity.

(Total: 25 marks)

QUESTION 2

Cases play an important role in interpreting statutes, building arguments, organising analysis and conveying points of view. Case law technique is a useful method which allow us to dissect a case so that we can reassemble it in our analysis.

With reference to decided cases, identify the vital elements in reading a case law and relate it accordingly.

(Total: 25 marks)

QUESTION 3

"The less privileged worldwide had little or no access to the courts and were not able to obtain proper legal redress or protect their rights until comparatively recent times. Even the United Kingdom which can pride itself as having one of the most advanced and organised legal aid scheme started the state-funded system only in 1949. Malaysia is the third country in South-East Asia to implement the legal aid scheme. That scheme was introduced in 1970."

[Wan Arfah Hamzah, *A First Look at The Malaysian Legal System*, 2009, Oxford Fajar, Selangor]

In view of the above statement, describe the legal aid scheme in Malaysia and support your answer with relevant authorities.

(Total: 25 marks)

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SECTION B: OPTIONAL [25 MARKS]

Instruction: Answer **ONE** question only.

QUESTION 4A

"The fundamental rule of interpretation, to which all others are subordinate, is that a statute is to be expounded according to the intent of the Parliament that made it, and that intention has to be found by an examination of the language used in the statute as a whole. The question is, what does the language mean; and when we find what the language means in its ordinary and natural sense it is our duty to obey that meaning even if we think the result to be inconvenient, impolite or improbable."

[*Amalgamated Society of Engineers v. Adelaide Steamship Co Ltd* (1920) 28 CLR 129 at pp 161-162]

As a Federal Court Judge, you are invited to illustrate the application of the above mentioned rule (with reference to relevant authorities) to 254 Foundation in Law students from Multimedia University during their visit to the Palace of Justice.

(Total: 25 marks)

QUESTION 4B

"Under the 'X' system, the parties are the one who determine the issue and evidence to prove their claims. This indeed shows the active role of the parties in a trial and particularly the counsels who play the dominant roles."

[Nuraisyah Chua Abdullah, *Q&A on Malaysian Courts, Statutes, Cases & Contract, Tort and Criminal Law*, 2012, ILBS, Selangor]

With reference to the above statement, identify the 'X' system and illustrate its application in Malaysia.

(Total: 25 marks)

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